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January 24, 2020

Hon. Robert W. Lehrburger
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: New Concept Energy, Inc. v. Gentile // 18 Civil 8896 – VSB-RWL
Avalon Holdings Corp. v. Gentile // 18 Civil 7291 -VSB-RWL

Your Honor:

I am one of Plaintiff's counsel in the above captioned matters and I appeared before you in open court on January 22, 2010, at 2:30 P.M. for a status conference.

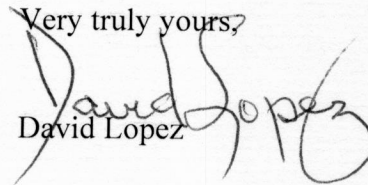
At the conclusion of that conference Your Honor ordered one of the Defendants in both cases, Guy Gentile, to make himself available for oral deposition at some time prior to February 29, 2020, in New York City.

A docket entry was made on January 24, 2020, in the New Concept case, a copy of which accompanies this letter. That docket entry bears no relation to the proceedings of January 22, in that it resets deadlines that have long since passed, do not need resetting and does not address the subject of the conference or the order Your Honor made from the bench. I suggest the docket entry is in error and that two new ones, one for each case, will be needed. No docket entry has yet been made in the Avalon Holdings case.

To clarify a point not made at the conference, there are two cases conjoined by relatedness. They are not consolidated. Each Plaintiff is entitled to take Mr. Gentile's deposition for up to seven hours and two orders to that effect should be entered. Scheduling is a matter that counsel to the parties should be able to work out for themselves to suit mutual convenience.

Very truly yours,

David Lopez



DL/el

Cc: All Counsel via ECF

Subject: **Activity in Case 1:18-cv-08896-VSB-RWL New Concept Energy, Inc. v. Gentile et al Set/Reset Deadlines**

Date: 1/24/2020 8:17:51 AM Eastern Standard Time

From: NYSD_ECF_Pool@nysd.uscourts.gov

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U.S. District Court

Southern District of New York

Notice of Electronic Filing

The following transaction was entered on 1/24/2020 at 8:17 AM EST and filed on 1/2/2020

Case Name: New Concept Energy, Inc. v. Gentile et al

Case Number: 1:18-cv-08896-VSB-RWL

Filer:

Document Number: No document attached

Docket Text:

Set/Reset Deadlines: Amended Pleadings due by 2/20/2020. Joinder of Parties due by 2/20/2020. (rro)

1:18-cv-08896-VSB-RWL Notice has been electronically mailed to:

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1:18-cv-08896-VSB-RWL Notice has been delivered by other means to: